

County of San Diego, Health and Human Services Agency (HHSA) CalWORKs Program Guide

Assistance Unit

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41-500.A

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Background

The Assistance Unit (AU) is defined as a group of related persons, living in the same home, who have been determined eligible for CalWORKs. An AU will be established when all eligibility factors have been determined. The AU is also referred to as the “Little MAP (Maximum Aid Payment)”.

Policy

41-500.A.1 Family Unit

The Family Unit (also referred to as the “Big MAP”) includes all members of the AU **plus** certain non-AU members living in the home including:

- The spouse of an aided child
- Ineligible undocumented aliens identified in the Ortega v. Anderson court order
- Fleeing felons

Note: A person convicted in state or federal court, after December 31, 1997, of a drug related felony, is ineligible for CalWORKs from the date of conviction up to March 31, 2015. Effective April 1, 2015, the prohibition from receipt of CalWORKs for individuals was repealed.

ACL 14-100, ACL 15-92, ACIN I-02-16

Persons receiving SSI/SSP are not included as family unit members.

41-500.A.2 Maximum Aid Payment

The Maximum Aid Payment (MAP) level is determined by an evaluation of the AU's status as either exempt or non-exempt.

41-500.A.3 Eligible Child

An eligible child is:

- A member of an income eligible AU
- Deprived of parental support and care
- Under 18 years of age or an 18 year old who meets the age requirements

Note: Effective January 1, 2016, a deceased child will continue to be included as a member of a family receiving CalWORKs for the month in which his or her death occurred, and the following month.

ACIN I-13-16

41-500.A.4 Penalized Assistance Units

A penalized AU is the result of the imposition of a penalty. A penalty results when, because of noncompliance, the grant is reduced or the individual's needs are not considered in computing the grant. However, the individual remains in the AU as an active recipient.

Penalties may be assessed for:

- Immunization problem
- School Attendance problem
- Child Support – Non-cooperation

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- Persons committing fraud
- Children who fail to comply with Welfare-to-Work

41-500.A.5 Caretaker Relative Defined

The following rules apply to the designation of a Caretaker Relative in an AU:

- A Caretaker Relative must be related to the applicant or eligible child
- A Caretaker Relative may be a parent or a non-parent caretaker
- A non-parent Caretaker Relative must be 18 years of age or older
- To be determined a Caretaker Relative, an eligible child must be living in the home of the Caretaker Relative
- A child is considered to be living in the home of a caretaker relative even when:
 1. A child is under the jurisdiction of the court and is living in the home of a relative (i.e., receiving probation services or protective supervision)
 2. A child's legal custody is held by an agency that does not have physical possession of the child
- The Caretaker Relative can be any of the relatives listed below (See Relationship of a Caretaker relative below) when a child has been relinquished or adopted, or parental rights have been terminated.

41-500.A.6 A Legal Guardian as Caretaker Relative

A legal guardian is a person named by the court to be the guardian of a child. In order to receive CalWORKs for the child and/or him/herself, the legal guardian must meet the definition of a Caretaker Relative (above).

41-500.A.7 Relationship of a Caretaker Relative

The Caretaker Relative may be related by blood, marriage or adoption to the applicant or eligible child as specified below:

Relationship Type	Relation
Biological Relatives	<ul style="list-style-type: none"> • Parent (mother or father) • Grandparent (including Great and Great-great) • Brother or Sister (including half-sibling) • Uncle or aunt (including Great and Great-great) • Nephew or niece (including Great and Great-great) • First or Second Cousin
Step Relatives	<ul style="list-style-type: none"> • Stepfather, Stepmother or California domestic partner of a parent • Stepbrother or Stepsister
Spouses of Relatives	A spouse or California domestic partner of a parent of any person named above even after marriage or domestic relationship has been terminated by death or dissolution or termination of the California domestic partnership
Adoptive Relatives	A person who legally adopts the child or that person's relatives as above in this table

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Procedure:

None

Impacts:

None

References:

EAS 82-800

EAS 82-832.1

ACL 14-100

ACL 15-18

ACL 15-92

ACIN I-02-16

ACIN I-13-16

CFL 14-15-60

CFL 14-15-61

Processing Guide 10-300.C.1

Approval for Release:

April 26, 2016

Sunset Date:

This policy will be reviewed for continuance by April 30, 2019.